

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN, NORTHERN DIVISION**

In re:

PORTER'S PENINSULA LOGGING LLC,

Debtor.

Chapter 11

Case No. 23-20563

Hon. Daniel S. Opperman

MOTION TO EXTEND DEADLINE FOR FILING CHAPTER 11 PLAN

NOW COMES the Debtor, by and through its attorneys Warner Norcross & Judd LLP, and in this Motion to Extend Deadline for filing of Chapter 11 Plan, states as follows:

1. The Debtor filed for protection under Chapter 11 of the bankruptcy code on or about May 19, 2023.
2. The Debtor continues to operate a logging business and its sole income is derived from that business.
3. The Debtor filed a Motion to Establish Value of Komatsu Financial Limited Partnership's Collateral on July 27, 2023. On July 31, 2023, Komatsu Financial Limited Partnership filed an Objection to Debtor's Motion to Establish Value of their Collateral.
4. The Debtor is aware that in the Order Establishing Deadlines and Procedures, the deadline for filing a motion to extend the deadline for filing a plan was July 18, 2023, however, the Debtor only recently knew for certain that there was a valuation issue and Debtor's appraisal will not be complete until the end of next week.
5. The current deadline to file the Chapter 11 Plan is August 17, 2023. Additional time is needed to finalize the documentation necessary for this restructure. 11 U.S.C. § 1221 requires the filing of a plan within 90-days of the date of filing unless a need

for an extension is attributable to certain to circumstances for which the Debtor should not be justly held accountable.

6. The requirement of 11 U.S.C. § 1221 is met in this matter, due to the fact that it is more accurate and as effective for the Debtor to file a plan which includes viable projections after the valuation of equipment so that projections are meaningful.
7. The requirement that a request for a short extension is attributable to circumstances for which the Debtor should not justly be held accountable is clearly met.
8. The Debtor requests until September 18, 2023 to file its Chapter 11 Plan.

WHEREFORE, the Debtor prays that this Honorable Court will enter its Order granting an extension to the Debtor until September 18, 2023 for the filing of the Chapter 11 Plan, which order shall be in the form attached hereto as Exhibit "1".

WARNER NORCROSS & JUDD LLP

Dated: August 1, 2023.

By:

/s/ Rozanne M. Giunta
ROZANNE M. GIUNTA (P29969)
Attorneys for Debtor
715 E. Main Street, Suite 110
Midland, Michigan 48640
(989) 698-3758
rgiunta@wnj.com

Exhibit 1

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN, NORTHERN DIVISION

In re:

PORTER'S PENINSULA LOGGING LLC,

Debtor.

Chapter 11

Case No. 23-20563

Hon. Daniel S. Opperman

ORDER APPROVING MOTION TO EXTEND TIME TO FILE CHAPTER 11 PLAN

The Debtor having filed a Motion to Extend the Time to File Chapter 11 Plan in this matter and the Debtor having stated good reason and justification for said extension;

IT IS HEREBY ORDERED that the deadline to file its Chapter 11 Plan is hereby extended until **Monday, September 18, 2023.**

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN, NORTHERN DIVISION**

In re:

PORTER'S PENINSULA LOGGING LLC,

Debtor.

Chapter 11

Case No. 23-20563

Hon. Daniel S. Opperman

**NOTICE OF MOTION TO EXTEND DEADLINE
FOR FILING CHAPTER 11 PLAN**

The Debtor has filed a Motion to Extend Deadline to File Chapter 11 Plan in the above matter.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant relief sought in the Motion, or if you want the Court to consider your views on the Motion, within **fourteen (14) days**, you or your attorney must:

1. File with the Court a written response or an answer, explaining your position at¹:

**United States Bankruptcy Court
111 First Street
Bay City, Michigan 48708**

If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

You must also mail a copy to:

**Rozanne M. Giunta
Warner Norcross & Judd LLP
Attorneys for Debtor
715 E. Main Street, Suite 110
Midland, MI 48640**

2. If a response or answer is timely filed and served, the Clerk will schedule a hearing on the Motion, and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

Dated: August 1, 2023.

WARNER NORCROSS & JUDD LLP

/s/ Rozanne M. Giunta

ROZANNE M. GIUNTA (P29969)

Attorneys for Debtor

715 E. Main Street, Suite 110

Midland, Michigan 48640

(989) 698-3758

rgiunta@wnj.com

¹Response or answer must comply with F.R.Civ.P. 8(b), (c) and (e).

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN, NORTHERN DIVISION**

In re:

PORTER'S PENINSULA LOGGING LLC,

Debtor.

_____ /

Chapter 11

Case No. 23-20563

Hon. Daniel S. Opperman

CERTIFICATE OF SERVICE

I hereby certify that I am employed with the law offices of Warner Norcross & Judd LLP and that on August 1, 2023, I electronically filed the foregoing **NOTICE and MOTION TO EXTEND DEADLINE FOR FILING CHAPTER 11 PLAN** with the Clerk of the Court using the ECF system and I hereby certify that I have mailed by U.S. Postal Service the **NOTICE and MOTION TO EXTEND DEADLINE FOR FILING CHAPTER 11 PLAN** to the following non-ECF participants on August 1, 2023, to **ALL CREDITORS AND INTERESTED PARTIES** listed on the matrix on file attached hereto and on file with this Court.

WARNER NORCROSS & JUDD LLP

Dated: August 1, 2023.

By:

/s/ Sondra J. Cardinal

SONDRA J. CARDINAL

Legal Assistant to Rozanne M. Giunta

715 E. Main Street, Suite 110

Midland, Michigan 48640

(989) 698-3738

scardinal@wnj.com

Label Matrix for local noticing
0645-1
Case 23-20563-dob
Eastern District of Michigan
Bay City
Tue Aug 1 15:01:01 EDT 2023

B2B Financing, LLC
100 Quentin Roosevelt Blvd.
Garden City, NY 11530-4874

Blarney Castle Oil Co.
P.O. Box 246
Bear Lake, MI 49614-0246

Corrigan Oil Co., No. II
Attn: Connie M. Pratt
775 N. Second St.
Brighton, MI 48116-1262

Great Lakes Collection Agency
P.O. Box 638
Manistee, MI 49660-0638

Komatsu Financial
1701 West Golf Road
Rolling Meadows, IL 60008-4227

Komatsu Financial Limited Partnership
c/o Plunkett Cooney/Doug Bernstein
38505 Woodward Avenue, Suite 100
Bloomfield Hills, MI 48304-5096

Michigan Department of Treasury
Bankruptcy Unit
P.O. Box 30168
Lansing, MI 48909-7668

Porter's Peninsula Logging LLC
17985 Fourth Street
Atlanta, MI 49709-9514

Woodland Equipment Inc.
1581 W. Adams Street
P.O. Box 387
Iron River, MI 49935-0387

Attorney General
Law Building
515 Ottawa
Lansing, MI 48913-0001

BW & US Tax Office
3024 W. Grand Blvd., Ste. 11-500
Detroit, MI 48202-6024

Kimberly Ross Clayson
Taft Stettinius & Hollister, LLP
27777 Franklin Rd. Suite 2500
Southfield, MI 48034-8222

Rozanne M. Giunta
Warner Norcross & Judd LLP
715 E. Main Street
Suite 110
Midland, MI 48640-5488

INTERNAL REVENUE SERVICE
P O BOX 330300 STOP 15
DETROIT MI 48232

(p)KOMATSU AMERICA CORP
ATTN BEA BARRY
8770 W BRYN MAWR AVENUE STE 100
CHICAGO IL 60631-3782

Lutke Equipment LLC
606 RW Harris
Manton, MI 49663-9775

(p)STATE OF MICHIGAN UNEMPLOYMENT INSURANCE
ATTN BANKRUPTCY UNIT
3024 W GRAND BLVD
SUITE 12-100
DETROIT MI 48202-6024

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

B2B Financing
100 Quentin Roosevelt Blvd.
Suite 204
Garden City, NY 11530-4843

Douglas C. Bernstein
38505 Woodward Avenue
Suite 2000
Bloomfield Hills, MI 48304-5093

Corrigan Oil Co.
775 N. Second
Brighton, MI 48116-1262

Timothy Graves (UST)
211 W. Fort St.
Suite 700
Detroit, MI 48226-3263

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Komatsu Financial Limited Partnership
c/o Plunkett Cooney attn: Douglas C. Ber
38505 Woodward Avenue
Bloomfield Hills, MI 48304-5093

Michigan Department of Natural
Resources
Attn: Jenny McGregor
2122 M 37 South
Traverse City, MI 49685-8061

Karolina F. Perr
Wood & Lamping, LLP
600 Vine Street
Suite 2500
Cincinnati, OH 45202-2491

U.S. Attorney
Attn: Civil Division
101 First Street, Suite 200
Bay City, MI 48708-5747

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4) .

Komatsu Financial Limited Partnership
8770 W. Bryn Mawr Ave., Suite 100
Chicago, IL 60637

Michigan Unemployment Agency
P.O. Box 169
Grand Rapids, MI 49501

SBSE/Insolvency Unit
Internal Revenue Service
Box 330500 - Stop 15
Detroit, MI 48232

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Komatsu Financial Limited Partnership

(u)Andrew R. Vara

End of Label Matrix	
Mailable recipients	27
Bypassed recipients	2
Total	29